

Documents in English History

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The Hundred Ordinance, 939-961

This Old English legal text regulating the schedule and procedures of the hundred courts was, based on its contents, likely produced during or soon after the reign of King Edmund (939-946). It is one of the earliest sources for the workings of the most ubiquitous of English courts.

The Hundred Ordinance (939-961)

This is the ordinance on how the hundred [court] is to be held.

1. First, that they are to gather together every four weeks and each man is to do justice to the other
2. That men are to pursue thieves with haste. If there be immediate need, the hundredman is to be informed, and thereupon he [is to inform] the tithingmen; and all are to go forth, where God may lead them, that they may come upon the thief. Let justice be done to the thief in accordance with Edmund's earlier decrees.
3. And compensation (ceapgyld) is to be given to him who owns the cattle; and the rest [of the thief's property] - except for the men - is to be divided into two, half for the hundred and half for the lord. And the lord is to succeed to the men.
4. And the man who neglects this and opposes the hundred's doom - and that charge is later proved against him - is to pay 30 pence to the hundred, and the next time 60 pence, half to the hundred and half to the lord. If he does it a third time, he is to pay half a pound; and on the fourth occasion he is to forfeit all that he owns and to be an outlaw, unless the king allows him [to remain in his] native land
5. And on the subject of unidentified cattle, we have decreed that no one else to keep any unless he has the witness of the hundredman or of the tithingman, and he be very trustworthy. And unless he has [the witness of] one of them, he is not to be allowed any vouching to warranty.
6. We also decreed that if the hundred pursue the trail into another hundred, the hundredman [thereof] is to be told and he is then to go with them. If he neglects this he is to pay 30 shillings to the king.
7. If anyone evades justice and flees, he who held him for the offence is to pay the single compensation. And if he is accused of assisting him to escape he is to clear himself as is established in the region.
8. In the hundred as any other court our will is that public law be declared in every suit, and a day be set when it is to be fulfilled. And he who breaks the appointed day - unless it be by his lord's command - is to make amends with 50 shillings and to carry out on a set day what he should have done before.
9. A cow's bell a dog's collar, a blast horn - each of these is worth a shilling, and each is reckoned an informer.
10. The iron which belongs to the three fold ordeal is to weigh three pounds

These last two chapters don't look as though they belong to the rest of the document. It's likely that they were wrongly attached to the document by a scribe.

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